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REMARKS

Claims 1-17 remain pending in this application. Reconsideration of this application is requested.

Drawing Objections

Fig. 3 is corrected by the Replacement Sheet filed herewith, to label detector 4. The remaining objections are mooted by the amendments to the claims. Fig. 2 in fact illustrates transport mechanism 3, which may be a belt, chain or carousel as claimed. Withdrawal of the drawing objections is requested.

Specification Objections

The specification has been amended to include the missing serial numbers of referenced copending patent applications. No new matter has been entered. The remaining objections are mooted by the amendments to the claims. Withdrawal of this ground of objection is requested.

Claim Objectors/ 35 U.S.C. § 112 Rejections

Reconsideration and withdrawal of the objections to the claims on formal grounds and rejection based on indefiniteness are requested in view of the amendments to the claims in light of the comments in the Office action. The amendments eliminate any issues of informality or indefiniteness that may have existed.

35 U.S.C. § 102 Rejections

The rejection of claims 1-16 as being anticipated by Ammann et al., U.S. Patent No. 6,335,166, is respectfully traversed to the extent that this ground of rejection may be applied to claims 1-16 as amended.

The invention as claimed is directed to a rotary luminometer, wherein a read station is provided to de-couple the detection of radiant energy from an analyte in a vessel from the transport of vessels in the detector station. This is explained with reference to Fig. 2.

In contrast, the analyzer illustrated in Figs. 40-51 of Ammann et al. is analogous to the prior art analyzer discussed at page 2 of the specification. Ammann fails to disclose the claimed read station and transport device. Reconsideration and withdrawal of this ground of rejection is requested.

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The rejection of claims 1-5 and 7-17 as being anticipated by Babson et al., U.S. Patent No. 5,885,529 (incorporated by reference into the present application at page 1), is also traversed to the extent that this ground of rejection may be applied to the claims as amended, for reasons similar to the reasons stated above. Babson discloses a prior art analyzer that does not teach the novel read station and transport device as set forth in the claims. Reconsideration and withdrawal of this ground of rejection is requested.

35 U.S.C. § 103 Rejection

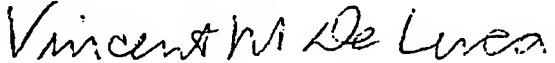
The additional rejection of claim 17 as being unpatentable over Ammann et al. in view of Babson et al., also is traversed. Claim 17 depends from claim 1 and thus includes all of the limitations of claim 1. Neither Babson nor Ammann, and therefore no combination of the two, disclose or anywhere suggest the inventive analyte detection station as claimed, for the reasons stated above. Reconsideration and withdrawal of this ground of rejection is requested.

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Conclusion

In view of the foregoing amendments and remarks, claims 1-17 are submitted to define patentable subject matter over the prior art of record. Favorable reconsideration and the issuance of a Notice of Allowance are earnestly solicited.

Please charge any fee or credit any overpayment pursuant to 37 CFR 1.16 or 1.17 to Novak Druce Deposit Account No. 14-1437.

RESPECTFULLY SUBMITTED,					
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